

HOUSE No. 909

By Mr. Mariano of Quincy, petition of Ronald Mariano and others relative to the statute of limitations for certain crimes involving sexual abuse involving minors. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

Ronald Mariano	Colleen M. Garry
James E. Vallee	Anne M. Paulsen
Scott P. Brown	Bradley H. Jones, Jr.
John H. Rogers	Robert K. Coughlin
Stephen M. Brewer	Robert L. Hedlund
Richard T. Moore	John P. Fresolo
Marie J. Parente	Pamela P. Resor
David Paul Linsky	Robert P. Spellane
Anthony J. Verga	Robert A. O'Leary
Edward G. Connolly	Mark J. Carron
Michael W. Morrissey	Frank M. Hynes
David M. Torrisi	Stephen Kulik
Kathi-Anne Reinstein	Alice Hanlon Peisch
Dianne Wilkerson	Steven C. Panagiotakos
Ellen Story	Alice K. Wolf
Shirley Gomes	Mary S. Rogeness
Lewis G. Evangelidis	Walter F. Timilty
Bruce E. Tarr	Brian A. Joyce
Richard R. Tisei	Garrett J. Bradley
Thomas J. O'Brien	

In the Year Two Thousand and Five.

AN ACT AMENDING THE CIVIL STATUTE OF LIMITATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 4C of Chapter 260 of the General Laws,
2 as appearing in the 2002 Official Edition, shall be stricken in its
3 entirety and inserted in place there of the following:

4 Section 4C. Actions for assault and battery alleging the defen-
5 dant sexually abused a minor may be commenced at any time after
6 the acts alleged to have caused an injury or condition. Actions for
7 negligence alleging that the defendant negligently supervised a
8 third person who sexually abused a minor, or that the defendant's
9 conduct caused or contributed to the sexual abuse of a minor by a
10 third person, may be commenced at any time after the acts alleged
11 to have caused an injury or condition.

12 For purposes of this section, "sexual abuse" shall mean the
13 commission of any act against a minor as set forth in section thir-
14 teen B, thirteen F, thirteen H, thirteen L, twenty-two, twenty-two
15 A, twenty-three, twenty-four, or twenty-four B of chapter two
16 hundred and sixty-five, or section three, four A, four B, sixteen,
17 seventeen, or thirty-five A of chapter two hundred and seventy-
18 two.

1 SECTION 2. This amendment shall become effective upon
2 passage.

1 SECTION 3. This amendment shall apply to all claims which
2 have accrued, and to all actions which are pending, on the date
3 upon which it becomes effective.

1 SECTION 4. This amendment shall be deemed to be retroac-
2 tive to the fullest extent permitted under the Constitution of the
3 United States and the Declaration of Rights of the Commonwealth
4 of Massachusetts.

1 SECTION 5. Each section of this Act shall be separable and
2 shall continue in effect if any provision hereof is deemed to be
3 unconstitutional or otherwise ineffective.